

October 5, 2015

A REGULAR MEETING of the Akron Village Board was held on this date at 7:36 p.m. Present: Mayor Carl Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, Keith A. Hatswell, Brian T. Perry; Attorney Andrew Borden, Clerk Daniel P. Borchert, Chief of Police Richard Lauricella, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh seconded by Perry that the Minutes of the regular meeting of September 21, 2015 be and hereby is approved by the Village Board.

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH A. HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

RESOLUTION, duly moved by Forrestel seconded by Hatswell that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

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| General Fund | \$ | 19,300.55 |
| Electric Fund | \$ | 52,670.05 |
| Water Fund | \$ | 8,509.95 |
| Sewer Fund | \$ | 9,720.29 |

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH A. HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

RESOLUTION duly moved by Middaugh and seconded by Forrestel that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

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| Richard Cooper | 21 Eckerson Avenue | Garage | \$300.00 |
| Brian Borth | 5 Exchange Street | Demo Garage | \$75.00 |
| Barry Agosti | 53 Eckerson Avenue | Renovate Lower Apt. | \$620.00 |
| David Barber | 154 Skyline Drive | Roof | \$50.00 |

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH A. HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

RESOLUTION duly moved by Forrestel and seconded by Hatswell that the following Application for Dumpster Permits for the year 2015 be and hereby are approved in accordance with the application filed and payment of the fee of \$50.00:

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| Barry Agosti | 53 Eckerson Avenue | 30 Day | \$50.00 |
| David Barber | 154 Skyline Drive | 30 Day | \$50.00 |

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |

KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

PUBLIC HEARING – none

APPEARANCE – none

PUBLIC COMMENT – Resident Robert Schieb from Brooklyn Street wanted to thank Public Works Manager Jon Cummings and the DPW for placing the “No Outlet” signs on the appropriate streets.

Bloomington Avenue Resident Mary Jane Shonn wanted to thank the Mayor and Board along with Chief Richard Lauricella and the DPW for controlling the Homecoming toilet papering on Bloomington Avenue.

Resident Carolyn Schad thanked the Village Board for attending the Lucas Lowe benefit held October 2, 2015. She mentioned that Lucas was so happy with the Proclamation, being the honorary Mayor for the Day, and the Village pin.

Clerk Borchert informed the Board that Resident Kathy Santiago asked the Board if they could continue to decorate the Village with gold ribbons and maybe hang a banner over Main Street or on the Cee D. Wright Center to continue supporting the Go for Gold for Childhood Cancer. The Board all agreed to approve the request.

Resident Doug Ceisner wanted the Board to take another look at the proposed water/sewer billing and lower the minimum for those who don’t use the minimum use.

PROJECT REPORTS – none

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – covered during the work session

CLERK – Submitted his monthly report for September and the office schedule for October 2015. He reported: Processed 29 Credit Card Transactions during September 2015 in the amount of \$1,692.88; attended a meeting with Insurance Agent Jeff Peters Regarding the Village of Akron Insurance Renewal Application for November 2015 – October 2016; Finalized the second Household Hazardous Waste Collection with Sarah Battaglia from HazMan for Saturday October 17, 2015 from 9:00 AM – Noon at the Joint Municipal Facility; Continuing to work with Trident Insurance, Fred Thomas Agency, Richard Lauricella & DeLacy Ford regarding the insurance claim for the police vehicle accident that occurred on August 11, 2015; Ordered the new winter parking permits from Signmatic Systems for the November 2015 – March 2016 winter parking season; Attended the New York State Conference of Mayors Annual Fall Training School from September 28 – October 2, 2015 in Lake Placid, NY ; Attended the IEEP Annual Meeting on Thursday September 25, 2014 in East Syracuse, NY; Set up and connected a new computer to the server so that the Department of Public Works may log into our server and KVS as a “read only” user

CHIEF OF POLICE – Submitted schedule for October 2015 and the September 2015 report. Reported: Not expecting Officer Heiderman back until November 2015 due to his work related accident of August 11, 2015; Homecoming and all the Car Shows went well; would like to request Halloween Trick or Treating from 6:00 pm to 8:00 pm same as in the past several years; reminded the Clerk to advertise the Winter Parking in the paper; took delivery of the new Police vehicle only to have it returned for final inspections.

PUBLIC WORKS MANAGER – Public Works Manager Cummings reported: asked permission from the Board to aid in the demolition of a stone light stand at the Masonic Lodge on John Street which is falling apart. Masonic Lodge also asked permission to use the electric pole to attach some kind of lighting for extra lighting and lastly they would like to remove a couple of trees to open the space up. Mr. Cummings stated that people renting the facilities at Russell Park must remember to take all their trash with them or they will not get back the fifty dollar deposit. Lastly Mr. Cummings urged the Board to consider the considerable costs of recycling electronics, especially the

TVs when making their decision regarding the continuation of the daily recycling program.

CODE ENFORCEMENT OFFICER – reported: Cloister/Meadow Project is now about 50% complete; the two new homes at 5 Ella Drive and 72 Jackson Street are moving right along

AKRON FIRE COMPANY – nothing

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Perry – will be absent for the next scheduled Village Board meeting October 19, 2015

Trustee Middaugh – nothing new

Mayor Patterson – reported: Heartwarming to see the Community support the benefit for Lucas Lowe on October 3, 2015; Grateful for the collective effort to keep the toilet papering off of the residential part of Bloomingdale Avenue during Homecoming weekend; will be hosting the Joint meeting with the Town of Newstead this evening; attended the Erie County Government Association meeting held September 24, 2015 where discussion was held regarding the 2% tax cap

Trustee Forrestel – reported: nothing new to report for the Water Wastewater Committee. Will be attending the Finance Committee meeting Thursday October 15, 2015 at 1:00 pm

Trustee Hatswell – reported: will be attending the first Indigenous Day on October 12, 2015 in Russell Park from 10 am – 2 pm

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –none

Public Works Facility at 43 East Avenue – none

Cable Contract – will be attending a meeting with other communities working on their cable contract as soon as date is available

Employee Contract – none

Water & Sewer Monthly Rates – reviewing until the next meeting

NEW BUSINESS

RESOLUTION duly moved by Perry and seconded by Middaugh to amend the Akron Water System Reservoir Property Hunting Policy to increase the daily fees for hunting at the Village of Akron Reservoir to \$10.00 per day for big game, \$6.00 per day for small game and \$25.00 per 7 days for Trapping on the recommendation of the Village Treasurer be and hereby is approved.

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH A. HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

RESOLUTION duly moved by Forrestel and seconded by Hatswell to accept agreement with the Northern Erie Sno-Seekers for the 2015-2016 winter season providing the proper paperwork is provided to the Village Office.

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use;

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board on October 5, 2015 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use;

NOW, THEREFORE, A RESOLUTION, duly moved by Forrestel, seconded by Hatswell, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village's review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 15, 2015 through April 1, 2016, subject to random enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road, along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,
 - a. The Northern Erie Sno-Seekers must provide the Village with proof of liability coverage naming the Village of Akron as additional insured in an amount satisfactory to the Village. If such coverage is part of blanket coverage for all snowmobile clubs throughout the State of New York, the Village of Akron must be specifically named as an additional insured on such policy.
 - b. The Northern Erie Sno-Seekers must provide the Village with an updated copy of its certificate of incorporation and by-laws and of its rules and regulations for operation of snowmobiles on trails maintained by them.
 - c. The Northern Erie Sno-seekers will provide to the Village an indemnification agreement holding the Village harmless and defending the Village from all property damages and personal injuries occasioned by the activities of the Northern Erie Sno-Seekers, their members, agents, invitees or employees on any Village lands during the term of the agreement to use the Bike Path.
 - d. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2016.
 - e. The Northern Erie Sno-Seekers, Inc. must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.
 - f. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others including hikers and cross country skiers.
 - g. The Northern Erie Sno-Seekers, Inc. shall use their best efforts to avoid damage to Village Property, injury to individuals, or excessive noise.
 - h. Failure to abide by all these conditions may result in the Village Board's withdrawal or rescinding of the consent of the Village to use the Bike Path.
2. This resolution shall take effect immediately.

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

RESOLUTION duly moved by Hatswell and seconded by Forrestel to approve the membership application of Stephanie O'Brien into the Akron Fire Company on the recommendation of the Fire Chief West be and hereby is approved.

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |

MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Hatswell and seconded by Forrestel to schedule Halloween Trick-or-Treating hours from 6:00 pm – 8:00 pm with the Amherst Control Center/Akron Fire Company sounding the fire siren to start and end Trick-or-Treating activities be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Middaugh and seconded by Perry to allow the Victory Full Gospel Church to do free hayrides around Russell Park on Saturday October 31, 2015 from 6:00 pm – 8 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Forrestel and seconded by Hatswell to hold the 2016-2017 CDBG Public Hearing on Monday October 19, 2015 be and hereby is approved

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

CORRESPONDENCE

Wm. Schutt & Associates September 2015 Monthly Summary Report

Minutes from the Planning Board meeting held September 15, 2015.

Zoning Board of Appeals Minutes from the meeting held September 16, 2015

Letter from Northern Erie Sno-Seekers requesting use of the Village portion of the bike path for the 2015-2016 snowmobile season

PUBLIC COMMENT: DPW Secretary Sydnee Shepard suggested to the Board to eliminate the daily electronic recycling program due to the cost and instead replace it with two electronic recycling events per year. She explained that the Village DPW employees are the ones who sort, wrap, and pack the recycling trucks which takes a lot of time and believes that a lot of the recycling is coming from outside the Village and Town.

Code Enforcement Officer Borth suggested that the Village/Town have two “tire drop off” events per year.

The Board took a brief recess before their scheduled joint meeting with the Newstead Town Board.

The Village Board welcomed Supervisor Cummings and the Newstead Town Board for their joint meeting with the Town of Newstead.

Joint Purchase – Village Attorney Borden and Town Attorney Neill are still working on the intermunicipal agreement for the joint purchase of the new roller. Once the details have been agreed upon, then the agreement can be executed.

RESOLUTION duly moved by Forrestel and seconded by Hatswell to authorize the mayor to execute the intermunicipal agreement with the Town of Newstead for the joint purchase of the new roller upon the approval of the Village Attorney

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| ADOPTED | CARL E. PATTERSON | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | KEITH A. HATSWELL | - AYE |
| | BRIAN T. PERRY | - AYE |

Information Technology – Supervisor Cummings gave an update on the needs of the town as they need more band width and a server upgrade. They are currently analyzing if going to the cloud is a good option at this time but there are concerns about security. Village Clerk Borchert noted that the village will be upgrading their server in the next budget year. Both boards will look to have an agreement in place early in 2016 for a dedicated information technology consultant as the one provider for each municipality and facility.

GIS – The town has entered into an agreement with Wendel Duchscherer to host the GIS system. Town Clerk Izydorzak will send the agreement over to Village Attorney Borden to review. The base contract with Wendel was to transfer all the existing data that the town currently had and uploading it to their system. Additional costs apply when new layers and services are added to the system. The annual maintenance fee covers all existing data layers and updates as required. Superintendent Cummings will be contacting Heather Lewis from Wendel to gather some updated information.

Joint Master Plan – This topic has been on the agenda for some time and has never really been moved forward. The original master plan was adopted back in 2003 and has not been updated since. Wendel had submitted a \$25,000 quote back in 2010 to update the plan. Supervisor Cummings contacted them to discuss an update on the quote and the cost is expected to be around \$60,000. Both boards had been looking for grant money to apply to this project but have not been successful.

Asset Management – Most of the data has been loaded into the system. The only thing that needs to be entered is the electric department data. Superintendent Cummings and Tammy Anderson have completed the daily worksheets that the employees will be using to fill out. There just needs to be a dedicated person assigned to maintain the system. Village Clerk Borchert will be contacting Ed Mitchell to set up a demonstration with Debbie Forrestel and Michael Bassanello from the town to see if this is something that they may be interested in using as well.

Recycling – Our electronic recycling vendor, Regional Computer Recycling & Recovery, has notified us that the funding source from New York State that allowed them to cover the cost of providing free recycling to our community has ended. Moving forward our community would be charged \$0.25/lb. for the recycling of CRT monitors and televisions. On average we have recycled over 60,000 lbs. of CRT units per year. Discussion was had regarding changing our current program and or vendor. Village Clerk Borchert will research the other options that we have available and pass them along to each board.

Sewer/Wastewater – Trustee Forrestel updated the boards that Clark Patterson Lee has been retained to complete our wastewater treatment plant engineering study. We were successful in obtaining grant funding for this project. There has not been any additional information provided from Wendel regarding the Lewis Road sewer district.

Grants – It was noted that the 2014 New York State Household Hazardous Waste Grant reimbursement has been received. The town portion was approved for payment at this evenings meeting.

Celebration Committee/Chamber of Commerce – Jeannine Morlacci and Peter Henley were in attendance to discuss their situation with the boards. The current plan of action is that at the end of December 2015 the Akron Chamber of Commerce will be

shutting its doors. They have tried tirelessly to recruit new people into the leadership roles in the organization but to no avail. They have asked both boards if there is any support that they can provide to help keep the organization and the few activities that they do alive. The biggest area of need is administrative support with getting information out to the right people. This has been an ongoing problem with similar small area chambers in the area. They are all struggling with the same issues of sustaining membership and finding volunteers.

Indigenous Day – Trustee Hatswell reported that all the preparations have been finalized for the inaugural Indigenous Peoples Day Celebration on Monday October 12th from 10:00 a.m. – 2:00 p.m.in Russell Park. This event is meant to bring together the Native and non-Native communities in order to promote friendship and peace amongst all, as well as to educate the general public about Haudenosaunee culture and way of life. Activities planned for the day include a traditional Haudenosaunee thanksgiving address, leadership presentations, recognition of the ACS lacrosse team, traditional Haudenosaunee food lunch reception, traditional Haudenosaunee dances and songs, craft vendor tents, an art show and a traditional Haudenosaunee closing address.

Construction Projects – Trustee Hatswell mentioned that he has had conversations with a few people and is interested in the possibility of being able to construct a skate park in one of the Town of Newstead Parks. The skate park would be used for skate board, long board and roller blade users. This would be similar to what they have constructed recently in Lancaster. Trustee Hatswell will continue to gather information.

Drug Awareness – Erin Behm was present on behalf of the Akron/Newstead Community Coalition and expressed her thanks for the recognition that was bestowed upon her for her work this past summer with the Darien Lake jobs program for students at Akron Central Schools. They are currently working on additional information to present to the schools and the community regarding drug awareness and what a large problem that this has escalated into. She referenced that when she was in school the fire safety videos that they use to show during their assemblies really impacted her and she thinks that a program and video similar to that regarding drug awareness would be beneficial. Addiction does not discriminate and that on October 26th, as part of the schools training day, there will be a training session presented to all the teachers and administrators. The coalition meets on the third Tuesday of each month at 6:00 p.m. at the C.D. Wright Center if anyone is interested in attending.

Town Dog Kennel – Trustee Hatswell was visiting the wastewater treatment plant and he noticed that there was someone wandering around the grounds inquiring about dropping a dog off to the kennel behind the building. He had great concern because there is no signage at the facility instructing the public that they cannot walk around the grounds. The current dog kennel is located behind the maintenance garage right next to the open influent channel and he is concerned that someone could get hurt by wandering around the grounds or falling into the open channel. It was discussed that a better place for the dog kennel would be at the joint municipal facility. They will continue to work on a possible solution.

The date of the next joint meeting is scheduled for Monday January 25, 2016 at 8:30 p.m. at the Newstead Town Hall.

On motion of Hatswell and seconded by Forrestel at 10:04 p.m. this meeting was ADJOURNED

MAYOR

CLERK